

REMARKS

In section 1 of the Office Action, the Examiner provisionally rejects claims 1-9 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of copending application no. 10/057,186. This rejection is respectfully traversed.

Claims 1-9 of the present application clearly claim different and non-obvious subject matter with claims 1-8 of copending application no. 10/057,186. For example, claim 1 of copending application no. 10/057,186 recites, in part, "said at least one arm member has substantially a rectangular cross section with four curved corners having a predetermined radius of curvature, in a perpendicular direction to a longitudinal direction of said at least one arm member". These limitations are not recited in claims 1-9 of present application. The Applicant believes that since these limitations include an unusual cross section (with four curved corners) of the arm member, they are clearly not obvious. Thus, the Applicant believes that the obviousness-type double patenting rejection should be withdrawn.

Moreover, claim 1 of the present application recites, in part, "an outer circumferential frame having opposite end surfaces and an inner peripheral surface, said inner peripheral surface being connected to said opposite end surfaces to form opposite connecting edge portions" and "said one end of said at least one arm member is connected to a portion of said inner peripheral surface of said outer circumferential frame, said portion excluding said opposite connecting edge portions". These limitations are not

recited in claims 1-8 of copending application no. 10/057,186.

The Examiner has cited no prior art to support his assertion that the differences in these claims are obvious. Moreover, the rejection is untimely. The cited case has not yet been allowed or granted and therefore the claims that these applications have today may not reflect the claims which actually go to grant.

Due to the reasons stated above, the Applicant believes that the obviousness-type double patenting rejection is improper and should be withdrawn. However, in order to facilitate prosecution, the Applicant decides to file a terminal disclaimer, copy of which is enclosed herewith.

The Applicant has attempted to address all of the issues raised by the Examiner in the Office Action as the Applicant understands them. The Applicant believes that the Application is now in condition for allowance. If any point requires further explanation, the Examiner is invited to telephone Troy Cai at (323) 934-2300 or e-mail Troy Cai at tcgai@ladasparry.com.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account No. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

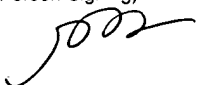
Enclosed please find a copy of Troy Guangyu Cai's Notice of Limited Recognition under 35 CFR 10.9(b) to prepare and prosecute patent applications wherein the patent applicant is a client of Ladas & Parry, and the attorney of record in the applications is a registered practitioner who is a member of Ladas & Parry.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 4, 2004

(Date of Deposit)

Troy Guangyu Cai

(Name of Person Signing)

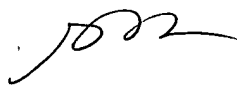


(Signature)



(Date)

Respectfully submitted,



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